

PATENT**ATTORNEY DOCKET NO.: N1161-00021****III. Remarks**

Claims 1-24 are pending in the current application. Applicants are grateful to the Examiner for allowing Claims 1-20. Claims 21-24 stand rejected. Reconsideration and withdrawal of the rejection of Claims 21-24 are respectfully requested in view of the following arguments.

A. Rejection under 35 U.S.C. § 103

The Action rejects Claims 21-24 as being anticipated by U.S. Patent No. 6,323,954 to Halter. Claim 21 as previously amended recites a method including the following steps: (a) projecting a light beam at a position corresponding to a dimensional tolerance limit of a photolithography element; (b) detecting the light beam at the position; and (c) monitoring for a change in the detected light beam at the position, indicative that a dimension of a photolithography element has at least reached the dimensional tolerance limit. The claimed method allows for the determination of when a dimension (e.g., height or thickness, etc.) of a photolithographic element (e.g., a pellicle element (Claim 22)) exceeds its dimensional tolerances, such as from expansion due to heat. (Page 9, Line 26-Page 10, Line 9).

Halter describes a process for the detection of or determination of the position of an edge K of an object G as it is moved. FIGS. 3 and 4 best illustrate this process. Object G is moved towards and through light beam A in the direction F. (Column 5, Lines 1-5). The object is physically moved by a transparent carrier T (FIG. 4) toward and through the light beam. (Column 5, Lines 14-18). Light beam A is projected to sensor 11.2 (FIG. 4). It is submitted that the light beam A of Halter is not projected at a position that corresponds "to a dimensional tolerance limit" of a photolithography element or any other object. It follows that monitoring for a change in the detected light beam at the position is not "indicative that a dimension of a photolithography element has at least reached the dimensional tolerance limit."

Applicants submit that sensor 11.2 is at an arbitrary position with respect to any dimensional tolerance limits of object G (if any exist). Indeed, object G must be physically

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moved toward light beam A on transparent carrier T. In essence, the process of Halter detects when the object G has been moved to a specific location, not when object G has reached its "dimensional tolerance limit", which is a physical property of the object itself, not the object's location as it is moved. It follows that Halter's sensor, which can be relocated anywhere along axis F as long as the light transmitter 12 is moved along with it and object G is moved toward beam A, is not at a position corresponding to a dimensional tolerance limit of the object G. Indeed, the specification of Halter makes no mention of the dimensional tolerances of object G (e.g., size of object G), which makes sense being that object G is moved toward and through beam A regardless of whether it happens to be within its dimensional tolerance limits (which are not mentioned).

Per the foregoing analysis, it is submitted that providing an arbitrarily positioned sensor and moving an object toward a beam detected by the sensor does not teach or suggest projecting the light beam to a position corresponding to the dimensional tolerance limit of the object or monitoring a change in the detected beam indicative that the dimensional limit of the object has at least reached the dimensional tolerance limit. Indeed, Claim 21 specifically recites that the light beam is detected "at the position," i.e., at the position corresponding to a dimensional tolerance limit of the photolithography element. Merely detecting the presence of edge K of object G within beam A in Halter reveals nothing with respect to the dimensional tolerance limits of object G. Put another way, because object G is moved to beam A, the detected results of Halter are no different whether object G is within or outside of any of its (unmentioned) dimensional tolerance limits; object G reaches beam A regardless thereof. Claim 21, therefore, is not anticipated by the cited reference and is allowable. Claims 22-24 depend from Claim 21 and are also allowable. Reconsideration and withdrawal of the rejection are respectfully requested.

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In view of the foregoing remarks and amendments, Applicants submit that this application is in condition for allowance at an early date, which action is earnestly solicited.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account **04-1769**.

Respectfully submitted,

Dated:

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Joseph A Powers
Joseph A. Powers, Reg. No.: 47,006
Attorney For Applicants

DUANE MORRIS LLP
One Liberty Place
Philadelphia, Pennsylvania 19103-7396
(215) 979-1842 (Telephone)
(215) 979-1020 (Fax)